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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/936,544	02/12/2002	Maria Froeschl	112740-320	7103

29177 7590 03/03/2005

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EXAMINER

DELGADO, MICHAEL A

ART UNIT	PAPER NUMBER
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2144

DATE MAILED: 03/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/936,544

Applicant(s)

FROESCHL ET AL.

Examiner

Michael S. A. Delgado

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 12 February 2002.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 18-34 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 18-34 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 9/10/2001.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 18-34 are rejected under 35 U.S.C. 102(e) as being anticipated by US patent No. 6,363,421 by Barker et al.

In claim 18, Barker teaches about a method for operating a telecommunications network, the method comprising the steps of (Fig 3):

controlling a network element at a network node of the telecommunications network via a control computer “element management server” (Col 1, lines 25-35);

storing at least one interface program “management agent application” and a plurality of application programs in the control computer in addition to an operating system (Col 1, lines 55-60);

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processing application objects during execution of the application programs, the application projects having, depending on their membership of a class, data with a predefined data structure and predefined methods for processing the data (Col 13, lines 48-65);

setting up a link between a service computer “management computer” and a control computer, maintenance being performed on the control computer via the link by at least one maintenance message (Col 1, lines 25-35);

processing the maintenance messages , via the interface program, coming from the service computer, each of the maintenance messages containing a class identifier which assigns the maintenance message to a class, the class identifier specifying the class, known in the service computer, of an application object to be processed (Col 1, lines 44-50) (Col 14, lines 35-50);

determining an alternative identifier, when the interface program is processed with reference to the class identifier, which indicates an alternative class to which the application object to be processed belongs in the network element, the alternative identifier being incorporated into an amended maintenance message (Col 14, lines 35-50) (Col 14, lines 60-65);  
and

processing the amended maintenance message, wherein the application object to be processed is processed as an object of the alternative class by an application program (Col 14, line 60-Col 15, line 5).

In claim 19, Barker teaches about a method for operating a telecommunications network as claimed in Claim 18, wherein when the alternative identifier is determined, a first table stored

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in a memory “look up function” of the control computer is used, in which table the alternative identifier is assigned to the class identifier (Col 14, line 60-Col 15, line 5) (Fig 9).

In claim 20, Barker teaches about a method for operating a telecommunications network as claimed in Claim 18, the method further comprising the step of:

generating a confirmation message, via the application program and after the processing of the amended maintenance message, in which the class specified when the application object to be processed to be generated is specified (Col 14, line 60-Col 15, line 5).

In claim 21, Barker teaches about a method for operating a telecommunications network as claimed in Claim 20 the method further comprising the steps of:

generating an amended confirmation message from the confirmation message, when the interface program is processed, the amended confirmation message containing only data which has an application object of the class to which the confirmation message relays (Col 15, lines 5-15); and

transmitting the amended confirmation message to the service computer (Col 15, lines 5-15).

In claim 22, Barker teaches about a method for operating a telecommunications network as claimed in Claim 20, the method further comprising the steps of:

storing the class specified, when the application object to be processed is generated, as an origin class in the data of the application object to be processed (Col 14, lines 50-60); and

using the origin class as a class identifier when the application program is processed (Col 14, lines 50-60).

In claim 23, Barker teaches about a method for operating a telecommunications network as claimed in Claim 20 wherein the confirmation message contains an identifier in which at least one class is designated which is known in the service computer as the class to which the application object to be processed belongs (Col 15, lines 5-15).

In claim 24, Barker teaches about a method for operating a telecommunications network as claimed in Claim 23, wherein the confirmation message contains, in addition to the class identifier, an origin identifier in which the origin class is specified (Col 15, lines 5-15).

In claim 25, Barker teaches about a method for operating a telecommunications network as claimed in Claim 23, the method further comprising the steps of:

storing at least one class known in at least one service computer for the application object as an allomorph class (different instances of the same class) in the data of the application object (Col 14, lines 50-60); and

using the allomorph class as an auxiliary identifier (instance identifier) when the application program is processed (Col 14, lines 50-60).

In claim 26, Barker teaches about a method for operating a telecommunications network as claimed in Claim 21, wherein a confirmation message which is generated for the service computer when the interface program is being processed contains the class identifier and the origin identifier, and possibly an identifier in which at least one class is designated (Col 15, lines 5-15).

In claim 27, Barker teaches about a method for operating a telecommunications network as claimed in Claim 18, wherein the network element is selected from the group consisting of a switching office, a cross-connector and a concentrator unit (Fig 7).

In claim 28, Barker teaches about a method for operating a telecommunications network as claimed in Claim 18, wherein the telecommunications network is selected from the group consisting of a fixed network, a mobile radio network, and a network with a fixed network component and a mobile radio network component (Col 3, lines 50-55).

In claim 29, Barker teaches about a method for operating a telecommunications network as claimed in Claim 18, wherein the interface program carries out further interface functions between the service computer and the application programs, including at least one of an events control for defining a processing sequence of the maintenance messages, and adaptation of the messages coming from the service computer to a protocol for transmitting messages within the control computer, and an adaptation of the confirmation messages coming from the application programs to a predefined protocol for transmitting messages between the service computer and the control computer (Col 15, lines 1-15).

In claim 30, Barker teaches about a method for operating a telecommunications network as claimed in Claim 18, the method further comprising at least one of the following steps:

using a first application program for subscriber administration (Col 1, lines 44-50);

using a second application program for administering connecting lines to other switching devices (Col 10, lines 55-60);

using a third application program for performing maintenance on the switching devices (Col 10, lines 55-60); and

using a fourth application program for measuring traffic on the switched links (Col 10, lines 55-60).

In claim 31, Barker teaches about a method for operating a telecommunications network as claimed in Claim 30, wherein the application objects of the first application program contain the subscriber data for one subscriber in each case (Col 7, lines 55-65).

In claim 32, Barker teaches about a method for operating a telecommunications network as claimed in Claim 18, wherein the maintenance messages contain a name identifier for a name of the application object to which the maintenance message relays (Col 15, lines 15-20).

In claim 33, Barker teaches about a network element for operating a telecommunications network, comprising (Fig 3):

a control computer for controlling the network element, at least one interface program and a plurality of application programs being stored in the control computer in addition to an operating system, application objects being processed during execution of the application programs, the application objects having, depending on their membership of a class, data with a predefined data structure and predefined methods for processing the data (Col 1, lines 25-35) (Col 14, lines 50-60); and

a service computer "management computer" connected to the control computer "management system server" via a link (Col 1, lines 25-35), maintenance being performed on the control computer by at least one maintenance message, the interface program processing the maintenance message is coming from the service computer (Col 1, lines 25-35), each of the

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maintenance messages containing a class identifier which assigns the maintenance message to a class (Col 1, lines 44-50), the class identifier of the maintenance message specifying the class (Col 14, lines 50-60), known in the service computer, of an application object to be processed, when the interface program is processed with reference to the class identifier an alternative identifier is determined which indicates an alternative class to which the application object to be processed belongs in the network element (Col 15, lines 5-15), the alternative identifier being incorporated into an amended maintenance message (Col 15, lines 5-15), and when the amended maintenance message is processed, the application object to be processed is processed as an object of the alternative class by an application program (Col 14, line 60-Col 15, line 5).

In claim 34, Barker teaches about a telecommunications network comprising a plurality of network elements, wherein at least one of the plurality of network elements is for operating the telecommunications network, the network elements comprising (Fig 3):

a control computer for controlling the network element (Col 1, lines 25-35), at least one interface program and a plurality of application programs being stored in the control computer in addition to an operating system (Col 1, lines 25-35), application objects being processed during execution of the application programs (Col 1, lines 44-50), the application objects having, depending on their membership of a class, data with a predefined data structure and predefined methods for processing the data (Col 14, lines 50-60); and

a service computer connected to the control computer via a link (Col 1, lines 25-35), maintenance being performed on the control computer by at least one maintenance message (Col 1, lines 25-35), the interface program processing the maintenance message is coming from the

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service computer, each of the maintenance messages containing a class identifier which assigns the maintenance message to a class (Col 1, lines 44-50), the class identifier of the maintenance message specifying the class, known in the service computer (Col 14, lines 50-60), of an application object to be processed, when the interface program is processed with reference to the class identifier an alternative identifier is determined which indicates an alternative class to which the application object to be processed belongs in the network element (Col 14, line 60-Col 15, line 5), the alternative identifier being incorporated into an amended maintenance message (Col 14, line 60-Col 15, line 5), and when the amended maintenance message is processed, the application object to be processed is processed as an object of the alternative class by an application program (Col 14, line 60-Col 15, line 5).

### ***Conclusion***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US Patent No 6,757,747 by Hooper teaches about a proxy object for managing an application instance on a dataless client machine.

US Patent No 6,654,801 by Mann et al, teaches about a remote system administration and seamless service integration of a data communication network management system.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael S. A. Delgado whose telephone number is (571) 272-3926. The examiner can normally be reached on 7.30 AM - 5.30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, WILLIAM A CUCHLINSKI JR can be reached on (571) 272-3925

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The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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